

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

In Re Commonwealth of P.R.

17-01578

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U.S. DISTRICT COURT
SAN JUAN, P.R.

**MOTION REQUESTING THE DISQUALIFICATION OF VARIOUS MEMBERS OF
THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD (FOMB) FOR
EVIDENTLY OBVIOUS CONFLICTS OF INTERESTS**

TO THE HONORABLE BANKRUPTCY COURT (HBC):

Comes now the putative Intervenor, appearing here Pro Se (PS) and In Forma Pauperis (IFP) and respectfully States, Alleges and Prays.

1. That on this same date, I am filing in this HBC a Motion To Intervene and Requesting Declaratory Judgment (MIRDJ) which is self-explanatory and which should proceed as a matter of law and as a matter of Justice.
2. That together with same MIRDJ, I am very respectfully filing this MOTION REQUESTING THE DISQUALIFICATION OF VARIOUS MEMBERS OF THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD (FOMB) FOR EVIDENTLY OBVIOUS CONFLICTS OF INTERESTS for the reasons that follow.
3. FOMB members Jose Gonzalez and Carlos Garcia were both Presidents of the Government Development Bank (GDB) and as such they both are Defendants in my timely filed Complaint and Declaratory Judgment Petition (CDJP), I timely filed at the Tribunal of First Instance (TFI), Superior Court of San Juan (SCSJ), on October 14, 2015 and which I incorporated into my different MIRDJ's, timely filed in 16-01073 (FAB) and 16-02374(FAB), and also in the MIRDJ filed in this civil action together with the instant Motion.

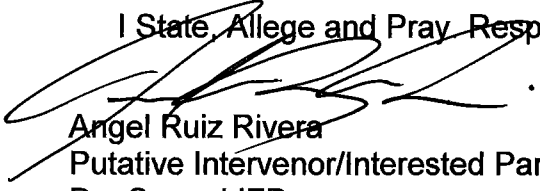
4. That both Jose Gonzalez and Carlos Garcia, knew or should had known that the Constitution of P.R. expressly, explicitly and specifically prohibited the issuance of debt in excess of fifteen (15%) of the average of the collections or revenues during the two (2) years immediately preceding the issuance, (Section 2 Article VI) just as they knew that same Constitution ordered the debt to be paid first in case of illiquidity and/or insolvency. (Section 8 Article VI).
5. That regardless of the fact that the HUSCA1C may eventually decide against granting my timely filed MIRDJ's in related actions 16-01073 (FAB) and 16-02374(FAB), presently sub judice in appeals 16-2208 and 17-1337, and even if this HBC Honorable Judge would for its reasons in Law and Justice, eventually decide against granting my MIRDJ timely filed, even under this scenario, this Motion for Disqualification of the members of the FOMB, should be taken into consideration, evaluated and ruled upon accord the facts, the evidence, and the controlling jurisprudence, since **there is no rule of necessity** for these hereby justly and lawfully recused members of the FOMB to remain holding their office given the undeniable, undisputed and irrefutable fact that they were part of the problem and ergo, consequentially, they cannot possibly be part of the solution, legally.
6. That these FOMB undoubtedly have a grave and serious conflict of interests in having a part and a saying in the FOMB decisions, can easily be inferred from the articles that I am including as evidence in support that prove without a doubt that they in fact should be disqualified or recused from participating and making decisions in the and for the FOMB. See Articles by

Hedge Clippers, a private non-profit entity with expertise in these endeavors, included here as Exhibits 1 and 2.

7. With respect to the President of the FOMB, Mr. Jose Carrion III, the same legal principle applies as to the previous ones since he is also the President and/or main or one of the principal and/or majority stockholders of Barrios & Carrion, an insurance company that covered the public liability exposure of many if not most, of the Directors and Officers (D's and O's) of the Board of Directors (BD's) of most if not all of the Defendants in my October 14, 2015 timely filed CRDJ at the Tribunal of First Instance (TFI), Superior Court of San Juan (SCSJ) and which timely incorporated and included as an integral part of my MIRDJ in 16-01073 (FAB) and 16-023734 (FAB) and now more recently in the instant civil action.
8. Very respectfully, I am including as Exhibit here, a recent article by Gerardo Carlo, Esq. who was a federal bankruptcy judge for over forty (40) years, in which he shares my theory that the insurance companies of the law firms that issued wrongful and negligent legal opinions approving of the unconstitutional issuances of the debt in question here should respond.

For all the above reasons, I pray that this HBC, proceed to grant this Motion. So

I State, Allege and Pray Respectfully submitted, today June 5, 2017.



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